

1 GREGORY CHARLES, ESQ., BAR No. 208583
2 CAMPEAU GOODSELL SMITH
3 440 North First Street, Ste. 100
4 San Jose, California 95112
5 Telephone: 408.295.9555
6 Facsimile: 408.852.0233
7 gcharles@campeaulaw.com

8
9 Counsel for Excel Innovations, Inc.

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28 UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE: Case No. 04-53874-ASW11

EXCEL INNOVATIONS, INC.

Debtor.

NOTICE OF HEARING ON MOTION TO APPROVE
COMPROMISE WITH YOU TECHNOLOGY F/K/A YT
ACQUISITION CORP

Date: December 7, 2010
Time: 1:15 p.m.
Place: Courtroom 3020
280 South First Street
San Jose, California 95113

HONORABLE ARTHUR S. WEISSBRODT

PLEASE TAKE NOTICE that on December 7, 2010 at 1:15 p.m. or as soon thereafter as it may be heard in the above-entitled United States Bankruptcy Court (the "Court"), plaintiff Excel Innovations, Inc. ("Excel") will move the Court for authority to compromise a controversy with YOU Technology f/k/a YT Acquisition Corp. ("YT"). The settlement will involve recovery of cash in an amount totaling approximately \$925,000.00. Pursuant to the settlement, the Court is requested to enter an order directing defendant U.S. Bank to turnover \$667,000 to YT.

PLEASE TAKE FURTHER NOTICE that the proposed settlement satisfies the criteria enumerated in *In re A & C Properties*, 784 F.2d 1377 (9th Cir. 1986).

1 PLEASE TAKE FURTHER NOTICE that Excel's motion is based upon this
2 Notice of Hearing; Excel's Motion to Approve Compromise with YOU Technology f/k/a
3 YT Acquisition Corp Motion for Summary Judgment; Excel Innovations, Inc.'s
4 Memorandum of Points and Authorities in Support of the Motion; The Declaration of
5 Gregory J. Charles, Esq. and its exhibit; and such arguments and evidence as may be
6 presented at a hearing on the Motion.

7 PLEASE TAKE FURTHER NOTICE that all written opposition to the Motion
8 must be filed with the Clerk of the Bankruptcy Court, San Jose Division, Room 3035,
9 280 South First Street, San Jose, CA 95113-3099, and served on the undersigned at the
10 address set forth in conformity with Local Rules 7007-1 and 9013-1 of the United States
11 Bankruptcy Court for the Northern District of California.

12 Dated: November 3, 2010

CAMPEAU GOODSELL SMITH
A Law Corporation

14 By: /s/Gregory J. Charles
15 Gregory Charles
16 Attorneys for the Debtor